UNITED STATES GOVERNMENT

Memorandum

TO: MR. TOLSON

DATE: September 28, 1964

FROM: MR. BELMONT

SUBJECT: REPORT OF THE PRESIDENT'S COMMISSION REGARDING THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

cc Mr. Belmont
Mr. Mohr
Mr. DeLoach
Mr. Rosen
Mr. Sullivan
Mr. Callahan
Mr. Conrad
Mr. Malley
Mr. Brennan
Mr. Branigan
Mr. Lenihan
Mr. Trotter
Mr. Gale

Tolson
Belmont
Mohr
Casper
Callahan
Conrad
DeLoach
Evans
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

The report of the President's Commission has been reviewed by the Administrative Division, the Domestic Intelligence Division, the General Investigative Division, the Identification Division, and the Laboratory.

COMMISSION'S FINDINGS:

The Commission's report sets forth the official facts of the assassination of President Kennedy as we knew and reported them in substance to the Commission on 12-9-63. Namely, Oswald was the assassin, he acted alone, his actions the product of a disturbed mind, showing an urge to find a place in history, a capacity for violence, a commitment to communism and a resentment of authority. Of events immediately following the assassination it found no evidence of any association with or conspiracy between Ruby and Oswald or among any outside factors, foreign or domestic.

In criticism it finds the Secret Service vastly inadequate to its assigned task in November, 1963. It castigates the Dallas Police Department for its handling of the person of Oswald subsequent to his arrest and for its dealings with news media. It recognizes the failure of the Secret Service to define the criteria they needed to properly protect the President and to make proper requests of Government agencies.

Concerning the FBI, the report states the FBI could have provided more to the Secret Service than prompt referral of specific threats to Presidential safety, as was our policy prior to the assassination. While not detailed on this point, it reports that the Bureau took an unduly restrictive view of its role in protective intelligence work prior to the assassination.

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In recommendation of procedures to improve protection of e President, it proposes the formation of a committee at cabinet vel to oversee the problems of protecting the President; the ssible relocation of the duties of the Secret Service to another ency, or in the alternative the appointment of a responsible sition in the Treasury Department to supervise the Secret Service d to keep the Secretary of the Treasury informed as to its rformance; that the facilities of Secret Service be completely over- uled, including the establishment of criteria of information it eds to properly protect the President; that there be perfected a oser association and liaison between the Secret Service and all ion, deral agencies; and, finally, that the President's physician ac- npany him on his travels; that Congress make the assassination the President and Vice President a federal crime; that State partment refine procedures for dissemination of information concerning fectors to Soviet-bloc countries, and that representatives of the bar, w enforcement and news media work more closely to establish ethical andards concerning collection and presentation to the public of formation so there will be no interference with pending criminal vestigations or rights of individuals to a fair trial. Here the amission is not clear but the implications point to the Dallas lice Department, killing of Oswald, conduct of news media presentatives, Mark Lane, et cetera.

The report states that both the Secret Service and the FBI have ofessed to the Commission that the liaison between them was close and lly sufficient. The Commission does not believe that the liaison be- een the FBI and the Secret Service prior to the assassination was as fective as it should have been. With regard to this comment, it is ted that prior to the assassination of President Kennedy the FBI sseminated to the Secret Service all information which came into s possession which it believed would be of value to the Secret Ser- ce in carrying out its responsibilities. It is noted that at no time d Secret Service express discontent nor did it furnish a written iteria regarding its needs.

Since the assassination of the President there was a complete -evaluation of our dissemination policy with regard to information at might be of interest to Secret Service. New criteria were es- blished and following the establishment of the new criteria we have n following the new procedures which were adopted. These criteria e the subject of a separate memorandum that was prepared on 9-29-64. lice Department and the [illegible] The Bureau did offer [illegible] vestigation concerning this [illegible]

- 2 - Another instance
- 3 - of our "unduly restrictive policy"

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In addition, we have determined that an Interagency Committee
nd program are being established by the Treasury Department to de-
elop more effective criteria for dissemination of data to Secret
ervice. The Committee will include representatives of the President's
ffice of Science and Technology, Department of Defense, Central In-
elligence Agency, FBI, and Secret Service. This Interagency Com-
ittee has not reached the stage of development to extend invitations
o the FBI and others, but is expected to do so soon. It is noted
hat since the adoption of the Bureau's new criteria for dissemination,
ecret Service has made available in writing to the Bureau the criteria
pon which they desire to receive information. It is noted that the
ureau's criteria is broader in scope than the written criteria fur-
ished by Secret Service.

The report of the Commission gives the Bureau credit for the
mount of investigative effort since the assassination and mentions
hat 80 additional FBI personnel were sent to Dallas to assist in the
nvestigation, that we had conducted more than 25,000 interviews and
s of 9-11-64 submitted more than 2300 reports comprising some 25,400
ages.

In referring to the identification of 20 latent fingerprints
nd 8 latent palmprints, the Commission discussed the identities
ther than Oswald that were identified with the latent prints. The
ommission in their wording stated "most of the prints were found to
ave been placed on the cartons by an FBI clerk and a Dallas police
fficer." The true facts are that it was determined that a clerk in
he Dallas Office was identified with five latent fingerprints and
he latent palmprint and the remaining latent fingerprints and four
f the palmprints were determined to be those of a Dallas police of-
icer. In connection with the clerk in the Dallas Office, he was re-
ponsible for the wrapping of the cartons for transmittal to the
ureau.

In discussing the shooting of Dallas police officer J. D.
ippit, the Commission states that certain witnesses to this shoot-
ng were "interviewed by the FBI "two months after the shooting."
t is noted the shooting of the Dallas police officer by Oswald was
ompletely a local matter within the jurisdiction of the Dallas Po-
ice Department and the Bureau did not attempt to conduct any in-
estigation concerning this shooting. The Bureau did offer its

Another instance of our "unduly restrictive policy"!

laboratory facilities to the Dallas Police Department in this matter. No interviews were conducted relative to the Tippit shooting until requests were received from the President's Commission to do so.

Concerning the various interrogations of Lee Harvey Oswald, the Commission comments on the small size of the interview room in the Dallas Police Department and states that up to 25 different persons participated in those interviews. There is no clear cut statement as to the number of individuals that participated in these interviews at any given time. In this regard it is noted that 1 Agent participated in an interview on 11-22-63 and 1 Agent participated in two interviews on 11-23-63.

Comment is also made that Oswald was not represented with counsel. The entire interviewing of Oswald was under the jurisdiction of the Dallas Police Department, not the FBI, and the Bureau had no control over the conditions under which the interviews were taking place.

The report states an FBI Agent is quoted as stating the conditions at the Dallas Police Department were like Grand Central Station or the Yankee Stadium. The Agent in the footnote is identified as Special Agent James P. Hosty. In this regard Agent Hosty's testimony does reflect that he made such a comment when testifying before the President's Commission. Hosty is just a pop-off

The report states that the Director sent a message to Dallas Chief of Police Curry on 11-22-63, urging the Chief to afford Oswald utmost security. The report states Chief Curry did not recall receiving this message. SAC Shanklin assures that an oral message was delivered by Special Agent Manning C. Clements immediately after receiving instructions from the Bureau to so advise Chief Curry. (See SA Clements Dallas report 11/30/63, page 29, paragraph 5). It should have been in writing

The report in discussing Chief Curry's periodic press releases on the developments in the assassination during the initial stages quotes the Director as being extremely concerned over these press releases and quotes from the Director's testimony in this regard.

In referring to interviews of Ruth Paine by Special Agent Hosty, the report states she was questioned concerning Oswald's whereabouts and promised to advise the FBI where he was residing and also to furnish the FBI any pertinent information concerning him. A comment is made

that Ruth Paine was not asked to furnish Oswald's telephone number in Dallas and that she did not volunteer this information although she had such information in her possession.

The Commission has relied very heavily upon the technical findings of the FBI Laboratory to support their conclusions as to the identity of the assassin and our Laboratory findings are not presented in an unfavorable light. In some instances, reportedly in the interests of impartiality, because of deep involvement of the FBI in the investigation of the case, the Commission had other experts examine evidence upon which we had submitted reports. Upon being challenged by the Bureau at the time on the basis of a lack of confidence, the Commission denied any such lack of confidence. There were no important or significant differences between our findings and those of the other experts. This was particularly true of all crucial examinations such as the identification of the assassination bullets as having been fired in Oswald's rifle and the identification of Oswald's handwriting on documents establishing his ownership of the assassination rifle.

As a matter of interest, in a few instances, there was a difference or degree noted in certain of the findings. These instances are discussed in detail below.

On pages 577 and 578 the report sets forth that FBI Laboratory experts identified all writing on a vaccination certificate found among Oswald's belongings as being Oswald's handwriting except the signature "A.J.Hideel" which was too distorted to identify or nonidentify. Alwyn Cole, Treasury Department document expert identified all writing including "A.J.Hideel" signature as being Oswald's. On the other hand, Cole was unable to identify or nonidentify a rubber stamp kit which belonged to Oswald with rubber stamp impressions on this vaccination certificate. The FBI Laboratory expert was able to identify certain of the stamped words as having been made by Oswald's stamp kit. These minor variances are not contradictory and are overshadowed by the conclusive agreement of both experts that Oswald prepared most of the writing appearing on the certificate.

Not very complimentary to our Laboratory!

On page 186 of the report, relative to the bullet that had been fired into the home of Major General Edwin A. Walker on April 10, 1963, the Commission relates that Joseph D. Nicol conducted an independent examination of the bullet and concluded "that there is a fair probability" that the bullet was fired from the rifle used in the assassination.

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The Nicol referred to hereinbefore is Joseph Nicol, Superintendent of the Illinois State Bureau of Criminal Identification and Investigation, called in by the Commission as an independent firearms examiner.

An examination of this bullet in the FBI Laboratory by three top firearms specialists conducting separate and independent examinations revealed it to be so extremely mutilated that there was not sufficient evidence remaining on which to base a conclusion as to whether or not the bullet recovered from Walker's house had been fired from the assassination weapon. One of the experts correctly testified before the Commission that the FBI does not use a category of "probable" identifications, and that unless a missile or cartridge case can be identified as coming from a particular weapon to the exclusion of all others, the FBI does not report an identification.

Another instance of our unduly restrictive policy. H

In explaining the difference between his policy and that of the FBI on the matter of probable identification before the Commission, Nicol admitted that he could not identify the gun "to the exclusion of all other guns."

The Commission took due cognizance of this in its evaluation of this matter, and the Commission states in its summation that it recognizes that neither expert was able to state the bullet which missed General Walker was fired from Oswald's rifle.

Relative to the firearms examinations of the four bullets removed from the body of Dallas Police Officer J. D. Tippit, and the four cartridge cases found near the scene of the murder of Tippit, the Commission notes that both the FBI experts and Nicol identified all four cartridge cases as having been fired in Oswald's revolver, thus establishing Oswald's revolver as the murder weapon. In the case of the bullets the Commission notes that Nicol differed with the FBI experts on one of these bullets, Nicol identifying one of these bullets as having been fired from Oswald's revolver. The findings of three top FBI examiners concerning the bullets were to the effect that, because of mutilation and the inconsistent nature of the individual markings on the bullets there was not sufficient evidence remaining on which to base a definite determination.

Another "dodge" by us. H

Since the findings of the FBI Laboratory were arrived at independently by three of our top firearms identification specialists and there definitely was no foundation for Nicol's conclusion, it is obvious

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that he was influenced by circumstances surrounding the case in arriving at his decision. You are merely assuming that.

In evaluating the evidence concerning Tippit's murder on page 176 of the report, the Commission completely ignored the identification made by Nicol. This illustrates how heavily the Commission relied upon the findings of our Laboratory experts. But whenever possible they take a crack at the Laboratory.

ACTION

The foregoing is submitted for information concerning the report submitted by the President's Commission.

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